

The motion to seal, ECF No. 147 is denied as moot, see ECF No. 160. The Clerk is instructed to terminate the open motion, ECF No 147.

So ordered,

/s/ Alvin K. Hellerstein

Alvin K. Hellerstein

9/3/21

Civil Action No. 18-cv-04994-AKH

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JEFFREY LEONARD, IN HIS CAPACITY AS
TRUSTEE OF THE POPLAWSKI 2008
INSURANCE TRUST; PHYLLIS POPLAWSKI;
PBR PARTNERS; BRIGHTON TRUSTEES,
LLC, on behalf of and as trustee for COOK
STREET MASTER TRUST III; BANK OF
UTAH, solely as securities intermediary for
COOK STREET MASTER TRUST III; TRINITY
2015 LS FUND, LLC; PEAK TRUST
COMPANY, AK, on behalf of and as trustee for
SUSAN L. CICIORA TRUST and STEWART
WEST INDIES TRUST, and ADVANCE TRUST
& LIFE ESCROW SERVICES, LTA, as
securities intermediary for LIFE PARTNERS
POSITION HOLDER TRUST, on behalf of
themselves and all others similarly situated

Plaintiffs,

vs.

JOHN HANCOCK LIFE INSURANCE
COMPANY OF NEW YORK and JOHN
HANCOCK LIFE INSURANCE COMPANY
(U.S.A.)

Defendants.

MOTION TO FILE UNDER SEAL
PORTIONS OF THE DISCOVERY DISPUTE LETTER DATED DECEMBER 23, 2020

Plaintiffs respectfully request that the Court authorize the sealed filing of a portion of the letter dated December 23, 2020 concerning a discovery dispute. The proposed sealed portions of the letter, including Exhibits A and B thereto, discuss or constitute information that has been designated “Confidential” by Defendants and must therefore be filed under seal pursuant to ¶¶ 10-11 of the Stipulated Confidentiality Agreement and Protective Order, entered by this Court

on November 13, 2018 (the “Protective Order”). (See ECF No. 39.) Accordingly, Plaintiffs respectfully request that the Court allow the information to be filed under seal.

By making this filing, Plaintiffs do not agree that any of the sealed material should be maintained under seal, and Plaintiffs reserve the right to oppose any motion ultimately filed seeking the continued sealing of the sealed material. As per paragraph 12 of the Protective Order, Defendants or third parties may move to maintain the continued sealing of the sealed material within twenty-one days of this filing.

Dated: December 23, 2020

/s/ Seth Ard
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CERTIFICATE OF SERVICE

I hereby certify that on December 23, 2020 I caused the foregoing document to be served via the Electronic Case Filing (ECF) system in the United States District Court for the Southern District of New York, on all parties registered for CM/ECF in the above-captioned matter.

Dated: December 23, 2020

/s/ Seth Ard

Seth Ard